

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

PATRIOT COAL CORPORATION, *et. al.*,

Debtors.

Case No. 12-51502
(Jointly Administered)

Chapter 11

**APPELLANT'S ELECTION THAT APPEAL BE HEARD BY THE
UNITED STATES DISTRICT COURT**

Appellant, The Ohio Valley Coal Company and The Ohio Valley Transloading Company, hereby elects, pursuant to 28 U.S.C. § 158(c)(1)(A), to have its appeal from the Order Denying Joinder of the Ohio Valley Coal Company and The Ohio Valley Transloading Company to the Motion to Intervene by the United Mine Workers of America 1974 Pension Trust and the United Mine Workers of America 1993 Benefit Plan (the "Order Denying Joinder") entered by the Honorable Kathy A. Surratt-States on April 5, 2013 [Docket No. 3547], and all rulings rendered appealable thereby, heard by the United States District Court for the Eastern District of Missouri.

Dated: June 11, 2013

/s/ Bonnie L. Clair

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